United Nations S/2005/160

Security Council

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Draft resolution

The Security Council,

Reaffirming its previous resolutions and the statements of its President concerning the situation in Somalia, in particular resolution 733 (1992) of 23 January 1992, which established an embargo on all delivery of weapons and military equipment to Somalia (hereinafter referred to as the "arms embargo"), resolution 1519 (2003) of 16 December 2003 and resolution 1558 (2004) of 17 August 2004,

Welcoming further progress in the process of national reconciliation in Somalia and expecting further steps by the Transitional Federal Government towards establishing effective national governance in Somalia,

Reaffirming the importance of the sovereignty, territorial integrity, political independence and unity of Somalia,

Commending the efforts of the African Union and the Intergovernmental Authority on Development in support of the Transitional Federal Government and welcoming the African Union's continued support for reconciliation in Somalia,

Taking note of the report of the Monitoring Group dated 14 February 2005 (S/2005/153) submitted pursuant to paragraph 3 (e) of resolution 1558 (2004) and the observations and recommendations contained therein,

Condemning the continued flow of weapons and ammunition supplies to and through Somalia, in violation of the arms embargo, and expressing its determination that violators should be held accountable,

Reiterating the importance of the implementation of the arms embargo by Member States and the enhancement of the monitoring of the arms embargo in Somalia through persistent and vigilant investigation into the violations, bearing in mind that strict enforcement of the arms embargo will improve the overall security situation in Somalia,

Determining that the situation in Somalia constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Stresses* the obligation of all States to comply fully with the measures imposed by resolution 733 (1992);

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2. *Expresses* its intention to give the report of the Monitoring Group dated 14 February 2005 (S/2005/153) due consideration in order to improve implementation of and compliance with measures imposed by resolution 733 (1992);

3. *Requests* the Secretary-General, in consultation with the Committee established pursuant to resolution 751 (1992) of 24 April 1992 (hereinafter referred to as "the Committee"), to re-establish within thirty days from the date of the adoption of this resolution, and for a period of six months, the Monitoring Group referred to in paragraph 3 of resolution 1558 (2004), with the following mandate:

(a) to continue investigating the implementation of the arms embargo by Member States and violations, inter alia, through field-based investigations in Somalia, where possible, and, as appropriate, in other States, in particular, those in the region;

(b) to assess actions taken by Somali authorities, as well as Member States, in particular, those in the region, fully to implement the arms embargo;

(c) to make specific recommendations based on detailed information in relevant areas of expertise related to violations and measures to give effect to and strengthen the implementation of the arms embargo in its various aspects;

(d) to continue refining and updating information on the draft list of those individuals and entities who violate the measures implemented by Member States in accordance with resolution 733 (1992), inside and outside Somalia, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate;

(e) to continue making recommendations based on its investigations, on the previous reports of the Panel of Experts (S/2003/223 and S/2003/1035) appointed pursuant to resolutions 1425 (2002) of 22 July 2002 and 1474 (2003) of 8 April 2003, and on the previous reports of the Monitoring Group (S/2004/604 and S/2005/153) appointed pursuant to resolutions 1519 (2003) of 16 December 2003 and 1558 (2004) of 17 August 2004;

(f) to work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the arms embargo;

(g) to assist in identifying areas where the capacities of States in the region can be strengthened to facilitate the implementation of the arms embargo;

(h) to provide to the Council, through the Committee, a mid-term briefing within 90 days from its establishment;

(i) to submit to the Council through the Committee, no later than 30 days prior to the termination of its mandate, a final report covering all the tasks set out above, which the Committee will subsequently consider and convey to the Security Council prior to the expiration of its mandate;

4. *Further requests* the Secretary-General to make the necessary financial arrangements to support the work of the Monitoring Group;

5. *Reaffirms* paragraphs 4, 5, 7, 8 and 10 of resolution 1519 (2003);

6. *Requests* the Committee, in accordance with its mandate and in consultation with the Monitoring Group and other relevant United Nations entities,

to consider and recommend to the Council ways to improve implementation of and compliance with the arms embargo, including ways to develop capacity of States in the region to implement the arms embargo, in response to continuing violations;

7. *Further requests* the Committee to consider, when appropriate, a visit to Somalia and/or the region by its Chairman and those he may designate, as approved by the Committee, to demonstrate the Security Council's determination to give full effect to the arms embargo;

8. *Decides* to remain actively seized of the matter.